

Serial No.: 10/589,995
Group Art Unit No.: 1625

REMARKS

Claims 1-8 are pending in the present application. Claims 1-3 have been rejected, Claims 4, 6 and 8 are objected to, and Claims 5 and 7 have been withdrawn from consideration.

Claims 1-3 have been amended, Claims 5-7 have been canceled, and Claims 9-18 have been added. No new matter has been introduced into the claims. The total number of claims does not exceed 20 nor do the total of independent claims exceed 3; consequently, no additional fees are required.

Claims 1-3 have been amended to particularly point out and distinctly claim the subject matter of Applicants' invention. Basis for amended Claim 1 can be found in the specification page 5, lines 9 through 16; page 6, lines 6-8; and page 7, lines 10-18; as well as the compounds disclosed in examples 1-9, pages 24-33. Similarly, basis for Claim 2 can be found on page 7, lines 13-17 and in Examples 1-9. Basis for Claim 3 can be found on page 9, lines 16-18. Basis for Claims 9-18 can be found in Examples 1-9.

Response to Rejection under 35 USC §112

Claim 1 has been rejected under 35 USC §112, paragraph 1, as failing to comply with the enablement requirement of this section. More specifically, the Examiner objects to the use of the phrase "optionally substituted." In response to this objection, Applicants have amended Claims 1 and 2 to be directed to specific substituents that are fully supported in the specification.

The Examiner also objects to the word "general" when used to describe formula (II) in Claim 2. (Contrary to the Examiner's remark, the word does not appear in Claim 1). Although Applicants disagree that the term suggests that the compounds have other structures not contemplated by Applicants, Applicants have deleted "general" to make clear that no compounds outside the scope of the structure are covered in this claim.

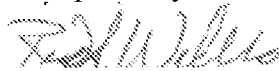
The Examiner further objects to the use of the plural "salts", on the grounds that the claim suggests mixtures rather than a single compound. Applicants have amended the claims to refer to a pharmaceutically acceptable salt, which allows for the possibility of a single salt.

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Conclusion

Inasmuch as Applicants have addressed all of the Examiner's objections, the claims are now in condition for allowance. Accordingly, Applicants respectfully request that a Notice of Allowance be granted for Claims 1-4 and 8-18. Should the Examiner have any questions or wish to discuss any aspect of this case, the Examiner is encouraged to call Dr. Reid S. Willis at the number below.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Reid S. Willis".

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